

03/16/01
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PTO/SB/05 (11-00)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. PT-1896000
First Inventor Bernard Charles Sherman
Title Pharmaceutical Compositions Comprising Moexipril Magnesium
Express Mail Label No.

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

- ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
- ☐ Applicant claims small entity status.
See 37 CFR 1.27.
- ☒ Specification [Total Pages 17]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- ☐ Drawing(s) (35 U.S.C. 113) [Total Sheets]
- ☐ Oath or Declaration [Total Pages 2]
 - ☒ Newly executed (original or copy)
Copy from a prior application (37 CFR 1.63 (d))
 - ☐ (for continuation/divisional with Box 18 completed)
 - ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- ☒ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

- ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
- Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - ☐ Computer Readable Form (CRF)
 - Specification Sequence Listing on:
 - ☐ CD-ROM or CD-R (2 copies); or
 - ☐ paper
 - ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

- ☐ Assignment Papers (cover sheet & document(s))
- ☐ 37 CFR 3.73(b) Statement of Power of Attorney (when there is an assignee) ☒
- ☐ English Translation Document (if applicable)
- ☒ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
- ☐ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
- ☒ Certified Copy of Priority Document(s) (if foreign priority is claimed)
- ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
- ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____
Prior application information: Examiner _____ Group Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label 23607 (Insert Customer No. or AirMail bar code label here) or ☐ Correspondence address below

Name
Address
City State Zip Code
Country Telephone Fax

Name (Print/Type) Neil H. Hughes, P. Eng. Registration No. (Attorney/Agent) 33,636
Signature Date March 14/01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

J1042 U.S. PTO
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03/16/01

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 1,255.00USD)

Complete if Known

Application Number	
Filing Date	
First Named Inventor	Bernard Charles Sherman
Examiner Name	
Group Art Unit	
Attorney Docket No.	PT-1896000

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 08-3255

Deposit Account Name: IVOR M. HUGHES

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION (continued)

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3) (\$)					

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	\$355-
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	
SUBTOTAL (1)					(\$355.00)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
55	-20** = 35	18	630
2	-3** = 0	80	0
Multiple Dependent		270	270

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	80	202	40	Independent claims in excess of 3	
104	270	204	135	Multiple dependent claim, if not paid	
109	80	209	40	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$900.00)

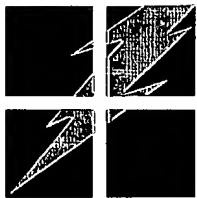
**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY

Name (Print/Type)	Neil H. Hughes, P.Eng.	Registration No. (Attorney/Agent)	33,636	Telephone	(905) 771-6414
Signature			Date	March 14, 2001	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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Ivor M. Hughes

Barrister & Solicitor

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Canada, United States*

*Barrister & Solicitor
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*Counsel
Alfred Schorr*

Our Ref.: PT-1896000

March 15, 2001

VIA COURIER

The Commissioner of Patents
UNITED STATES PATENT OFFICE
2011 South Clark Place
Crystal Plaza 2, Room 1B03
Arlington, Virginia U.S.A. 22202

Dear Sir:

Re: United States Patent Application
Claiming priority from Canadian Patent Application No. 2,303,481, filed April 5, 2000)
of Bernard Charles Sherman
for PHARMACEUTICAL COMPOSITIONS COMPRISING MOEXIPRIL MAGNESIUM
CUSTOMER NO. 23607
Due Date: April 5, 2001

Enclosed herewith please find the following documentation for filing with the Commissioner:

- (a) Utility Patent Application Transmittal Form;
- (b) Fee Transmittal for FY 2001 Form;
- (c) Abstract;
- (d) Disclosure;
- (e) Claims;
- (f) Application Data Sheet;
- (g) Declaration for Patent Application of Bernard Charles Sherman, in duplicate;
- (h) Power Of Attorney, in duplicate;
- (i) Certified Copy of Canadian Patent No. 2,303,481, filed April 5, 2000;
- (j) Information Disclosure Statement, Form PTO-1449 and copies of the prior art cited;
- (k) Cheque in the amount of \$1,255.00 USD made payable to "The Commissioner of Patents".

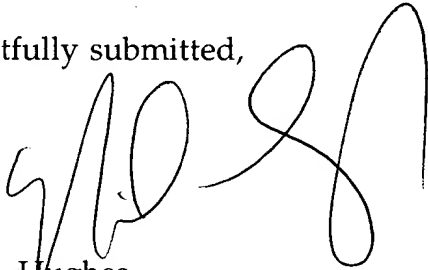
Enclosed along with this material please find a cheque in the amount of \$1,255.00 U.S. dollars which includes \$355.00 for the base filing fee of a large entity, \$630.00 for (35) claims over and above the twenty claims allowed per application, and \$270 for multiple dependent claims. If there is any deficiency or surplusage of the fees enclosed for filing this Application, please obtain any such deficiency or credit the surplusage to Deposit Account 08-3255 and advise Applicants' Agent.

Applicant wishes to claim priority from the Canadian Patent Application No. 2,303,481 filed on April 5, 2000.

Also enclosed herewith is a stamped, self-addressed verification card which we request that you kindly acknowledge and return to this office at the earliest opportunity.

We thank the Commissioner for his cooperation in this regard and look forward to receiving filing data in this matter.

Respectfully submitted,



Neil H. Hughes
Registration No. 33,636
Agent for Applicant

NHH:mse
Enclosures

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